

# **EXHIBIT “B”**

Fill in this information to identify the case:

Debtor 1 SEARS, ROEBUCK AND CO.  
Debtor 2 \_\_\_\_\_  
(Spouse, if filing)  
United States Bankruptcy Court for the: Southern District of New York  
Case number 18-23537 (RDD)

[ ] Date Stamped Copy Returned  
[ ] No Self-Addressed Stamped Envelope  
[x] No Copy Provided



Official Form 410

**Proof of Claim**

04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

**Part 1: Identify the Claim**

1. Who is the current creditor?	<u>PR JACKSONVILLE LIMITED PARTNERSHIP</u> Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor _____	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? <u>Jeffrey Kurtzman, Esquire</u> Name <u>401 S. 2nd Street, Suite 200</u> Number Street <u>Philadelphia PA 19147</u> City State ZIP Code Contact phone <u>(215) 839-1222</u> Contact email <u>kurtzman@kurtzmansteady.com</u>	Where should payments to the creditor be sent? (if different) Name _____ Number Street _____ City State ZIP Code Contact phone _____ Contact email _____
Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____		
4. Does this claim amend one already filed?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Claim number on court claims registry (if known) <u>3789</u> Filed on <u>10/31/2018</u> MM / DD / YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

6. Do you have any number you use to identify the debtor? ☒ No  
☐ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: \_\_\_\_\_

7. How much is the claim? \$ 108,290.04. Does this amount include interest or other charges?  
☒ No  
☐ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.  
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).  
Limit disclosing information that is entitled to privacy, such as health care information.  
Lease obligations (cure claim)

9. Is all or part of the claim secured? ☒ No  
☐ Yes. The claim is secured by a lien on property.  
Nature of property:  
☐ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.  
☐ Motor vehicle  
☐ Other. Describe: \_\_\_\_\_  
Basis for perfection: \_\_\_\_\_  
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)  
Value of property: \$ \_\_\_\_\_  
Amount of the claim that is secured: \$ \_\_\_\_\_  
Amount of the claim that is unsecured: \$ \_\_\_\_\_ (The sum of the secured and unsecured amounts should match the amount in line 7.)  
Amount necessary to cure any default as of the date of the petition: \$ \_\_\_\_\_  
Annual Interest Rate (when case was filed) \_\_\_\_\_ %  
☐ Fixed  
☐ Variable

10. Is this claim based on a lease? ☐ No  
☒ Yes. Amount necessary to cure any default as of the date of the petition. \$ 363.33

11. Is this claim subject to a right of setoff? ☒ No  
☐ Yes. Identify the property: \_\_\_\_\_

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

☒ No

☐ Yes. Check one:

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

☐ Up to \$2,850\* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

☐ Wages, salaries, or commissions (up to \$12,850\*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

☐ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

☒ Other. Specify subsection of 11 U.S.C. § 507(a)(2) that applies.

Amount entitled to priority

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ 108,290.04

\* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

**Part 3: Sign Below**

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☐ I am the creditor.

☒ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 05/20/2019  
MM / DD / YYYY

Christiana Uy  
Signature

Print the name of the person who is completing and signing this claim:

Name Christiana Uy  
First name Middle name Last name

Title Director, Legal & Paralegal

Company PREIT Services, LLC  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 200 S. Broad Street, 3rd Floor  
Number Street  
Philadelphia PA 19102  
City State ZIP Code

Contact phone (215) 454-1249 Email uyc@preit.com

STATEMENT

Date - 5/20/2019  
Tenant No - 31889  
Statement No - 902567  
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Make Check  
Payable To:

PR JACKSONVILLE LP  
PO BOX 951696  
CLEVELAND OH 44193-1696

From:

JACKSONVILLE MALL  
375 JACKSONVILLE MALL  
JACKSONVILLE NC 28546

To:

Transform Operating Stores LLC  
3333 Beverly Road, Store  
Hoffman Estates IL 60179

Tenant:

Sears #2755

Amount Remitted: \_\_\_\_\_  
Remit top portion with payment.

DETAIL CHARGE

Jacksonville Mall

Lease 00004388

DBA: Sears #2755

Invoice Date	Bill Code	Description	Charges	Payments	Balance	Check Number
1/1/2010		Balance Forward			.00	
9/1/2018	HVAC	HVAC	131.67		131.67	
9/1/2018	MISC	MISCELLANEOUS INCOME	50.00		50.00	
10/1/2018	HVAC	HVAC	131.67		131.67	
10/1/2018	MISC	MISCELLANEOUS INCOME	50.00		50.00	
3/18/2019	XCAM	2018 CAM	2,565.80		2,565.80	
3/31/2019	XRE	2018 RE Reconciliation	133,764.53	(28,585.30)	105,179.23	140106942
5/1/2019	MISC	MISCELLANEOUS INCOME	50.00		50.00	
5/1/2019	HVAC	HVAC	131.67		131.67	

ACCOUNT SUMMARY

Balance Prior To	1/1/2010	.00
Plus Charges From	1/1/2010	136,875.34
Less Payments / Credits From	1/1/2010	(28,585.30)
AMOUNT DUE:		<u>108,290.04</u>

ACCOUNT AGING

Current	1 - 30	31 - 60	61 - 90	91 - 120	Over 120
	181.67	105,179.23	2,565.80		363.34

**ADDENDUM TO PROOF OF CLAIM**

The lease documents which form the basis of this claim are voluminous and will be furnished to any party requesting a copy thereof. All such requests should be made to the claimant's counsel at the following address:

Jeffrey Kurtzman, Esquire  
**KURTZMAN | STEADY, LLC**  
401 S. 2<sup>nd</sup> Street, Suite 200  
Philadelphia, PA 19147  
Telephone: (215) 939-1222  
Email: [kurtzman@kurtzmansteady.com](mailto:kurtzman@kurtzmansteady.com)